App. F. IX-4

1949-50
(CB)

File No. 122-C
Serial Nos. 1-4

Previous References.
CB. 157-49-1, 2.
CB. 145-27-2
CB. 255-48-1 (CC) 19/1/1948 & 19.

Later References.

GENERAL AND REVENUE SECRETARIAT

Serial Nos. Four only

✓

Part B for Nov 1950

SUBJECT

Representation of Sri J. Krishnappa, Retired Judge; for fixation of his rank

No 11184/CB

D. 8. 11.

To

The Registrar,
High Court of Mysore
Bangalore

Representation of Sri J Rudrappa

[App. F. III-2

General and Revenue Secretariat | File No. | of 195

WD 07358—GPB—1,000—28-1-50

Serial No.

Letter No 0015/49-50 dt 17-2-1950 from Sri J Rudrappa Registrar. High Court of Mysore. re: his representation dt 17-2-1950

1) Remarks of this Sty.

"References if any"

CB stdK.V. 17/3

KMR 17/3.

2) No references re: representation of Sri J. Rudrappa are available in CB

CKS

22/3

3) Please abstract and put up another letter received from Sri Rudrappa today.

22.3.50.

D.O. dt 22-3-50 from Sri J. Rudrappa re: his promotion as District Judge.

4) Remarks of this Sty.

"Please ~~take~~ trade this very early"

Stdk.V. 22/3

Stdk KMR 22/3

5) If approved the file will be sent to the office of the Hon'ble Ministers for putting up the file relating to his previous

NOTE—Conts. Sheet

27

File No. Representation of Sri J Rudrappa Registrar Dept of Govt of 195

General and Revenue Secretariat

Serial No.

representation dated 28/3/50 sent to Secy, if it is available among the papers.

CKD 6/10/50

Pri Secy Secy (Rev) Hqrs WC

6) KmR 28.3.50

Sri. K Swamy Hqrs 28/3/50

Office of the Chief Minister
No. 78 8015
Date of Receipt 28/3

7) Submitted:-

A search was made for the file referred to above amongst the ~~papers~~ Remarks office papers received from the Confidential Branch some time back and it could not be found among them.

4/4/50

3/4/50

8) Asst Secy CB. WC

Hms 3/4/50

GENERAL & REVENUE SECRETARIAT
-4 APR 1950
CONFIDENTIAL BRANCH

9) Subd for perusal

CKD 11/4/50

10) As the original papers are not traceable, it is for consideration whether the Chief Justice may be requested to forward a copy of the recommendation said to have been forwarded to the Govt on 11.7.49 to enable the case being examined.

Chief Secy

11) KmR 11.4.50

11.4.50.

12 Yes

12/4 12/4/50

13) Subd with a draft for approval

14) Please put up fair copy

KmR 17.4.50

17.4.50.

CHIEF SECRETARY
12 APR 1950
GOVT. OF MYSORE

P.T.O.

(27) Representation of Sri G. Rudrappa Registrar Co-Hyme & ors 4463/CB

Serial No.

15) for draft is placed below.

19/4. (Chief Secy) 16) Rough 19.4.50

19.4.50.

17) A Copy is to be filed. Please Examine Early.

9-4-50. Rough 20/4/50.

18) The draft to be filed may issue.

21/4/50 Rough 21/4/50.

[Resubmitted in person]

21.4.50.

Issued No. 12 43/CB. dt 25/4/50. to the Chief Justice H.C. of Hyme. Requesting to send a copy of recommendations.

(19) Draft of D.O. reminder is sent up for approval

7/6/50. (Chief Secy) 20) Rough 7.6.50

7.6.50.

21) 8/6 Rough 8/6/50.

D.O. letter No 4/83/CB. dt 9th June '50. Reminds the Chief Justice to expedite his reply.

D.O. letter No. R.O.C. 253/50-51 dt 13/6/50 from the Regr. H.C. of Hyme - forwards a copy of the memorial of Sri T. Rudrappa with a copy of letter from the Ch. Justice

CHIEF SECRETARY 2132 7 JUN 1950 GOVT. OF MYSORE

Note.—Contn. Sheet.

P.T.O.

Representation of Sri J. Rudrappa, Regd Dt. Judges

File No. of 19 .. 6468/J/1300 General and Revenue Secretariat

Serial No.

Submitted.

22) The main point urged in the memorial is that consequent on the appointment of Sri B.S. Puttaswamy & the fixing of his rank in the cadre of Dt. & Sessions Judges, one, (Sri Rudrappa) who was a provisionally permanent judge in a permanent vacancy prior to 31-12-48 was to revert as Acting Judge from 1-1-49. This is due to the fact that Sri B.S. Puttaswamy was given a rank above a number of Dt. Judges. This has affected Sri J. Rudrappa in not getting his promotion to I grade of Dt. Judge and also his pension. Therefore he prays that he may be restored to his original rank that would have been given to him if Sri B.S. Puttaswamy was not given a higher rank above the Judges appointed earlier. In the alternative he requests that he may be treated as in a permanent grade for purposes of pension.

23) On recommending his case the Chief Justice strongly protests against the disturbing of the Rank of Officers by appointing persons & giving them a higher rank above the officers already appointed. & he recommends that Sri Rudrappa may be appointed as II el. Dt. Judge from 1-1-49 as a spl. case or to

WD 06820—GPB—25,000—26-7-49

Serial No.

give him a Special allowance of Rs 200/- P.M. from 1-1-49 which would count for his pension in view of the fact that Sri T. Rudrappa has very little service left before superannuation.

24) Neither of the recommendation of the chief justice seem to be admissible under the rule. His first recommendation is to appoint Sri T. Rudrappa as II el. D.J. Judge from 1-1-49. This is not possible under the rules and until a clear vacancy in which he may be appointed is indicated. Further it is not known whether there are any of his seniors who are also affected by giving a higher rank to Sri Putta Swamy. In such a case they will have to be given preference. This would also set up an inconvenient precedent & encourage all the other officers who are in similar position ie., who are affected by the appointment of Sri Putta Swamy, to urge for similar treatment, if the recommendation of the chief justice were to be accepted. If justice were to be done it would not be possible to refuse their requests, & if the present request were to be sanctioned. Then the only course left would be to revise the rank and place Sri Putta Swamy below the Judges who were already appointed.

25) Regarding the second recommendation of the chief justice, it is

NOTE—Contn. Sheet

(27) Representation of Sri J. Rudrappa Dt. Judge

File No. 4463/1306/LR of 19 . | General and Revenue Secretariat

Serial No.

submitted that there is no provision in the M.S.R. to count the allowance in for purposes of pension, if it were to be sanctioned

Submitted for orders with reference to paragraph 17 above

26) Please put up the Coll^n. leading to the appointment of Sri B. S. Puttaswamy as Dt. Judge and the Coll^n. relating to a similar memorial by Sri S. Kanakaratnaraj.

14/6/50.

14.6.50. 27) The Coll^n. CB.255-48 relating to the appointment of Sri B.S Puttaswamy as Dt. Judge and another Coll^n. C.B. 333-48-2 ~~relati~~ which contains the representation of Sri S. Kanakalatnaraj are put up.

28) Sri B.S. Puttaswamy who was then Labour Com^r was ordered decided to be appointed as I Grade Dt. Judge and posted as Law Secy to Govt. He was ~~not~~ appointed as I Grade Judge perhaps ~~presumably~~, because he was already drawing Rs 1000/- Pm. It is seen from the allocation statement as on 1-1-48 that he was given a rank below Sri Lingiah Gowder. Sri Kanakalatnaraj represented that he and Sri Lingiah Gowder were maintaining their ranks according to their early Govt service (on the same day). & that his seniority ~~Rank~~ may be restored. But Sri B.S. Puttaswamy was placed

Representation of Sri J. Rudrappa Dt. Judge

eneral and Revenue Secretariat | File No. 4463 J 1306 ~~of~~ 19

Serial No.

above Sri Kamalakara Raj.

29) If the recommendation of the chief justice were to be accepted it would lead to the increase of fifteen in the cadre of Dt Judges II class., The other alternative recommended is the grant of allowance of Rs 200/- P.M. ~~Rs~~ Either of these recommendation requires financial concurrence if it were to be sanctioned. Subs' reference para 26.

HDD 26/6/60.

30) Before Considering the specific relief recommended in this case, a decision seems to be necessary on the question of principle raised by the High Court, namely, that appointments in the intermediate stages of the Judiciary should not be made. If this is accepted and it is felt that at this stage the violation of the principle that is brought to notice cannot be set right except by affording some relief to the officers adversely affected, a suitable method of relief applicable uniformly to all the officers in the cadre of Dt. Judges prejudicially affected by the appointment of Sri B. S. Puttaswamy as Dt. Judge I class may have to be devised.

31) This would be Council matter, and as, under the provisions of the Constitution appointment and promotion of Officers in the

(27) Representation of Sri J. Rudrappa, Dt Judge.

File No. 4413 V 1306/CR. of 19

General and Revenue Secretariat

Serial No.

Cadre of Dt. Judges would require the approval of the Rajapramukh, the papers may have to be submitted to His Highness in due course.

Sri 16.6.50

32) There was a representation from Sri S. Ramakrishnaraj requesting that he may be promoted as First class Dt Judge and that this rank in that cadre may go along with that of Sri K.C. Lingiah Gowder. It may be C.P. file No. 157-49-(102) The concerned file may please be put up.

SMR 5/8/50.

33) The collection No 157-49-2 is herewith put up.

WMA 8/8/50

8.8.50. 34) The practice of filling up the vacancies in the cadre of Dt Judges by recruiting from the Bar is not new and it has been in existence from a very long time. But such a recruitment has generally been to the grade of Dt Judges, 3rd class only. When officers of one dept are transferred to another dept, they should ordinarily be allowed to draw their own pay in

Representation of Sri T. Rudrappa. Dt. Judge.

and Revenue Secretariat | File No. 1306/CB. of 19 .

Serial No.

the Depn to which they were transferred, when the transfer is in the interests of public service.

(3) At the time of this transfer to the Judicial Depn Sri B.S. Puttaswamy was drawing a pay of Rs 1200/- pm. He was first appointed as Public Service Comr on a pay of Rs 1000/- and from there he was transferred as Referees officer on Rs 1200/- in connection with the Constitutional Reform, and then he was appointed as Comr of Labour on Rs 1200/-. Since he drew a pay of Rs 1200/- pm i.e. from 3-2-47 Sri Puttaswamy appears to have been appointed Dt Judge II class permanent and Dt Judge I class Ag. His appointment as Dt Judge I class therefore appears to be inevitable.

(4) His transfer as Dt Judge II class has not only affected Sri J. Rudrappa, but also Sris S. Ramakrishnaraj and B.R. Ramalingiah. In July 1949 Sri Ramakrishnaraj submitted a representation for being appointed as Dt Judge I class But orders were finally passed to the effect that there was no need to re-open the matter. (vide discussions in CB. file No. 157-49 (182)

(5) Had it not been for the appointment

Note.—Contn. Sheet.

Representation of Sri J. Rudrappa, Dt Judge.

File No. 1366/CB of 19 .. | General and Revenue Secretariat

Serial No.

of Sri Puttaswamy as Dt Judge II class permanent and Dt Judge I class Ag. Sri Kamakaraj that chances of fitting into the 1st Grade just Sri J. Rudrappa had the prospect of becoming Dt Judge II class. Both Sri Kamakaraj and Rudrappa have less than one year of service before them to attain the age of superannuation. The cases of both these officers is similar and in case any concession is shown to mitigate the hardship, it may have to be extended to both the officers.

38) This is a Council matter requiring prior Concurrence and the gracious approval of H. H. the Maharaja would also be necessary.

Law Secy) Secy
Chief Secy)

8/8/50

39) The question under reference being one which, in some respects, concerns me personally my first impulse was not to offer any remarks. But since, in the event of my remaining silent, a most unfair impression may, in all likelihood, be created that an undue favour has been shown to me, my initial reluctance should, I think, yield place to a greater reluctance to forego this opportunity to remove that impression. But before doing

9 AUG 1950

Serial No.

So, a word or two appear to be necessary as regards the seeming objection of the High Court to the policy of Direct Recruitment to the Cadre of Dist judges. As is pointed out by the asst Secretary, the filling up of vacancies in the Cadre of Dist judges by means of direct recruitment has been in vogue for a very long time. The cases of Sri K. Shankera narayana Rao, Sri H.V. Narayana Rao, Sri R. Venkata Ramaiah are instances in ~~the~~ point. It may also be pointed that Sri Shanker Narayana Rao was appointed straight away as a first class District judge. There can be no objection to this practice particularly now when there is a clear and Specific provision for direct recruitment under ~~Sub~~ clause 2 of article 233 of the Constitution.

40) Then, as to the question whether my appointment as a first class District judge has resulted in any undue favour to me, the following statement may be of some help.

29.4.43. When Sri B.S. Puttaswamy was appointed as Public Service Commissioner on a permanent pay of Rs 1000/-

Sri R. Puttaraj urs, as I magistrate and Subjudge was drawing Rs 600/—

Sri V. Kandaswamy Pillay as I class magistrate and asst Subjudge was drawing Rs ~~45~~ 450/+100 A.A.

Sri T.N. Mallappa as Asst Subjudge - - - Rs 450+50. A;

NOTE—Contn. Sheet.

Representation of Sri J Rudrappa, Sub Judge

File No. 1306/CB of 19 Judge — General and Revenue Secretariat

Serial No. 1

Sri K.C.L. Gowder. as 1st magistrate and additional Sub judge was drawing -- 450 + 50 A.A

Sri Kanaka Ratna Raj as II munsiff was drawing 450/-

Sri J. Rudrappa. as Munsiff. - = -Rs 410/-

41) When Sri B.S.P. was appointed as Reforms officer on Rs 1200/- 3rd Feb 1947.

Sri R. Putta Rajus was drawing Rs 800/-

" V. Kanda Swamy Pillay - - Rs 800/-

" T.N. Mallappa - - - Rs 800/-

" K.C. Linigiah Gowder - - - Rs 800/-

" S. Kanaka Ratna Raj - - - Rs 800/-

" J. Rudrappa - - - - Rs 550/-

42) The above statement makes it clear that when I was drawing Rs 1200/- Sri K.C.L. Gowder was drawing only 800/-; and yet I was placed below him. This is by no means showing me any undue favour.

43) I may hasten to add that these facts are set out not with a view to put forward any claim for advancement, nor Even with the object of raising objections to the recommendations of the High Court but solely with a desire to point out that far from being the recipient of any favour I have reasons to think that I am a sufferer.

1886
23/8/
25/8/50

44) Though in all the Depts. of

GENERAL & REVENUE SECRETARIAT
25 AUG 1950
CONFIDENTIAL BRANCH.
CHIEF SECRETARIAT
4864
25 AUG 1950
GOVT. OF MYSORE

Serial No.

Govt. Service, recruitment to the Gazd. ranks is always at the bottom of the Case, in Judicial Service, there as Elsewhere, it has been the practice to recruit at all levels. Practising Advocates have been Even appointed directly to the High Court (the most recent is that of Sri. B. Vasudevamurthy), as Dr. Jacob, Subjudge and Munsiffs. This practice is not new, and it is Even Statutorily recognised in Art. 233 of the Constitution. Both practice as well as necessity for maintaining a robust Cadre of judiciary are in favour of this system.

45) The point that one's future prospect were unduly upset because of this direct recruitment at higher levels, loses most of its force when it is recognised that this is not a new practice, and hence any Entrant to such a Service should have been at the time of his entry into service, fully aware of such possibilities, & not excluding such a directly recruited officer, whose chances may be upset again by the later recruitment of another person above his level. The appointment of Sri. Vasudeva Murthy

Representation of Shri J. Rudrappa

File No. District Judge 1306/CB of 19 .

General and Rev... Secretariat

Serial No.

would itself be a case in point.

46) Neither of the two recommendations of the High Court would be acceptable without making violent and unprecedented departure from the rule. This is not the first direct recruitment by any means, nor is Shri. J. Rudrappa the first person to be so affected. When no special consideration was shown in any of those cases, there does not seem to be any reasons to create a new precedent now.

Chief Minister
Hon'ble Law Secy
We

26-8-50

KMR
28/8/50

GENERAL & REVENUE SECRETARIAT
No. 5307
28 AUG 1950

47) 28
29.8.50.

48) I quite agree.

KCR
15/8/50.

GENERAL & REVENUE SECRETARIAT
30 AUG 1950
GOVT. OF MYSORE

16/10

KMR
17.10.50

Office of the Chief Minister
No. 3916
Date of Receipt 30/8

49) Draft reply is noted

CKR
26/X/50

Law Secy)

KMR
27.10.50

7/11/50.

KMR
8/11/50

CHIEF SECRETARY
4130
16 OCT 1950
GOVT. OF MYS

SECRETARY, LAW DEPARTMENT
7118
27 OCT 1950
GOVT. OF MYSORE

26.10.50.

Land Revenue Secretariat

Representation of J Rudrappa

File No 1306/ST-judge of 19

WD 010975—GPB—2,000—20-7-50

Serial No.	
	C.P
	No 11184/CB
	To The Registrar Hyk Court Bangalore
B	Status quo ante shall not be disturbed

"CONFIDENTIAL"

4375
CB

Rudrappa, M.A.,LL.B.,
Registrar.

D.O.15/49-50

BANGALORE

Dated 17 March 1950

Dear Sir,

I gave a Memorial on 1-7-1949 which was forwarded by the Chief Justice with his recommendation in D.O. No. 1 of 1949-50, dated 11-7-1949, to the Dewan of Mysore Rajamantra Chintamani Sir A.Ramaswami Mudaliar. No reply has yet been received in respect thereof. On enquiries made in the Chief Minister's Office, I was informed that the concerned file is not to be found there. I therefore request you to kindly get the file from the officers concerned and place it before the Chief Minister.

A reply may kindly be sent in this connection, as the information is required by the Chief Justice.

Yours sincerely,

J. Rudrappa.

Sri K.Srinivasan, B.Sc.,
Chief Secretary to the Government of Mysore,
BANGALORE.

J.Rudrappa,M.A.,LL.B.
Registrar.
D. O. No. 17/49-50

CONFIDENTIAL.

HIGH COURT
OF MYSORE,
BANGALORE.

22nd March 1950.

Dear Sri Srinivasan,

I am herewith sending you a copy of my memorial to the Chief Justice of the High Court of Mysore, as desired by you to enable you to trace the original. I submitted the memorial on 1-7-1949 to the Chief Justice who sent it with his recommendation to the Dewan Sahib Sri A. Ramaswamy Mudaliar on 11th July 1949. I will be much obliged if you will kindly trace and send those papers to the Chief Minister for necessary orders.

Yours sincerely,

J. Rudrappa.

To

The Chief Justice in Mysore,
Bangalore.

The Memorialist begs to submit the following for kind and favourable consideration.

1) He was a member of the Bar for nearly 5 years with a fairly lucrative practice.

2) He had the chance of being appointed a Magistrate of the III Grade along with Messrs. K.C.Lingiah Gowder, Kanakaratnaraj and others in 1924 when these appoint-ments were made but he did not accept service as Magistrate, on account of the low pay and prospects of the then III Grade Magistrates (Rs.150-25/2-250).

3) The Memorialist waited for more than a year thereafter and was selected to act as Munsiff more or less along with Sri N. Balakrishnaiya (now Justice Sri Balakrishnaiya) on a higher pay of Rs.200-250-25-450). He acted as Munsiff in several Courts and worked to the entire satisfaction of the superior officers.

4) Unfortunately, there was amalgamation of civil and criminal cadres of the Judicial department in 1927 when the grade pay of Munsiffs was reduced from Rs.250-25-450 to two grades of Rs.150-25/2-250 and Rs.250-40/2-450 and all the III Grade Magistrates in service were then absorbed as I Grade Munsiffs in Rs.250-40/2-450.

5) The Memorialist unfortunately was not appointed in the grade of Rs.250-40/2-450 though he had acted in the higher grade of Rs.250-25-450. Then all the III Grade Magistrates in the lower grade were promoted to this grade. It will not be out of place if I mention that Sri N. Balakrishnaiya (now Justice Sri Balakrishnaiya) who was acting as Munsiff in a higher grade like myself and who was not given a place in the cadre of First Class Munsiff at the time of amalgamation

declined to accept the post of II Grade Munsiff on Rs.150-25/2-250 as a protest against the irregularity and hardship caused to us. But the memorialist accepted the post of II Grade Munsiff as by that time he had lost the lucrative practice in the bar he had built up owing to his acting as Munsiff off and on in short vacancies. He worked hard in many of the heaviest Courts - both civil and criminal - and has got a record of service. He has every reason to believe that he has given satisfaction to the superior officers of the Judicial Department as can be seen from the remarks in the Inspection Notes and other reports. He had to plod his weary way for over 20 years just to earn his present position in service.

6) He was promoted to act as District and Sessions Judge, Shimoga in 1947 and was in a permanent vacancy from 15-5-1948 to 31-12-1948 as provisionally permanent as can be seen from the Government Order No.6404/C.B.333-48-2 dated 14-2-1949.

7) Again on account of the appointment of Sri B.S.Puttaswamy (now Law Secretary) and the fixing of his rank above a number of District Judges who were appointed much earlier I acted as such the humble memorialist who was made provisionally permanent in a permanent vacancy from 15-5-48 to 31-12-48 was placed in an acting vacancy from 1-1-1949 for no fault of his. This has greatly affected his prospects in service in not getting his promotion to the I Grade of District Judges and also affecting his pension. The humble memorialist has got one year and 9 months of service before superannuation.

8) The humble memorialist prays that he may be restored to his original place which he would have had in the normal course but for the new appointment of Sri B.S.Puttaswamy putting

him

him in the middle of the cadre much to the detriment of several District Judges who were appointed earlier in permanent vacancies. If for any reason this request is not granted the memorialist prays that he may be at least treated as in a permanent grade for the purpose of earning his legitimate pension.

9) He will be highly grateful if he is restored to the position which is legitimately due to him, namely IIClass District Judge's place from 1-1-1949.

Sd/- J. Rudrappa,
Registrar, High Court of Mysore.

Bangalore,
1- 7- 49.

"COPY."

J. Rudrappa
Registrar.

Appendix F G—1]

SUBJECT.....

.....

.....

Diary No. of letter replied to .....

General and Revenue Secretariat

( )

the *19* .

Date of issue 25.4.58

Signed by.....

List of enclosures.....

Copied by.....

Examined by.....

Section

File No.

Serial No.

D.O.

No. 1243/C1

To

The chief justice,
H.C. of Mysore,
Bangalore

~~Sir~~, Dear Sir,

Subject:- Representation of Sri J. Rudrappa, Registrar, The H.C. of Mysore, Bangalore

With reference to letter No. D.O.15/49-50 D 17/3/1950 from the Registrar, H.C. of Mysore Bangalore on the above subject I am ~~directed~~ desired to request you kindly to send a copy of your recommendation on the said representation

P.T.O.

Which is said to have been
forwarded to the Dewan on
11-7-49. as the original papers
are
is not readily traceable here.

Sincerely
yours faithfully

send for the say to you.
17.4.50.

15/4.

17.4.50.

D.C.

Dear Sir,

Subject: Representation of Sri.J. Rudrappa, Registrar, High Court of Mysore, Bangalore.

...

With reference to letter No.D.D.15/49-50 dated 17th March 1950 from the Registrar, High Court of Mysore, Bangalore, on the above subject, I am desired to request you kindly to send a copy of your recommendation on the ~~said~~ representation which is said to have been forwarded to the Dewan on 11th July 1949 as the original papers are not traceable.

Yours sincerely,

19.4.50.

Rao Bahadur
Justice P.Medapa,B.A.,B.L.,
Chief Justice,
High Court of Mysore,
Bangalore.

19.4.50.

SRI K. SRINIVASAN, B.Sc.,
Chief Secretary to
Government.

GENERAL AND REVENUE SECRETARIAT,

Dated Bangalore, 25th April 1950.

D. O. No. 1243/CS

Dear Sir,

Subject :- Representation of Sri J. Rudrappa,
Registrar, High Court of Mysore,
Bangalore.

With reference to letter No.D.O.15/49-50 dated 17th March 1950 from the Registrar, High Court of Mysore, Bangalore, on the above subject, I am desired to request you kindly to send a copy of your recommendation on the ~~said~~ representation, which is said to have been forwarded to the Dewan on 11th July 1949, as the original papers are not traceable.

Yours sincerely,

o/c.

Rao Bahadur
Sri P. Medapa, B.A.,B.L.,
Chief Justice,
High Court of Mysore,
Bangalore.

T.C. Signed by Ch-Sy.

Appendix F G—1]

SUBJECT.....

.....

.....

Diary No. of letter replied to .....

General and Revenue Secretariat

( )

the *19* .

Date of issue.....

Signed by.....

List of enclosures.....

Copied by.....

Examined by.....

Section

File No.

Serial No.

No.

To—

Dear Sir,

Subject:- Representation of Sri. J. Rudrappa, ~~Pro~~ Dfr and Sessions Judge ~~Ref. H.C. Attipore~~ Bangalore.

I am desired to invite reference to letter No. DO: 1243/GR.57 25/4/50 on the above and to request you kindly to ~~arrange to send a copy of your recommendation on the representation~~ expedite your reply. ~~if there is no objection.~~ ~~Very any, as requested in the # letter under reference~~

Y. S.

To the Ch. Justice (by name) 8/6.

WD 06818—GPB—25,000—9-7-49

7/6/50. 7.6.50.

D.O. 4183/C.B.

8th June 1950.

Dear Sir,

Subject: Representation of Sri.J.Rudrappa, District & Sessions Judge.

***

I am desired to invite reference to letter No.D.O.1243/C.B. dated 25th April 1950 on the above and to request you kindly to expedite your reply.

Yours sincerely,

Rao Bahadur

Sri.P.Medapa,B.A.,B.L.,
Chief Justice,
High Court of Mysore,
B a n g a l o r e.

"CONFIDENTIAL"

1306/cs
Sri HPS

.R. Ramalingiah, M.A., B.L.
Registrar.

R.O.C 253 Encls 2
50-51

BANGALORE

Dated 13 June 1950.

Dear Sir,

With reference to your letter, D.O.No.4183/ C.B., dated 8/9th June 1950, to the Chief Justice, I am desired to forward herewith a copy of the Memorial, dated 1-7-1949, of Sri J. Rudrappa with a copy of letter, D.O.No.1/49-50, dated 11th July 1949, from the Chief Justice to the Dewan of Mysore.

Yours sincerely,

13/6/50

13/6/50

Sri K. Srinivasan, B.Sc.,
Chief Secretary to the Government of Mysore,
B A N G A L O R E.

Rec'd 14/6

"CONFIDENTIAL"

Rao Bahadur P. Medapa, B.A.,B.L.,
Chief Justice.

HIGH COURT OF MYSORE,
BANGALORE.
11th July 1949.

D.O.No.1/49-50

Dear Sir,

In forwarding herewith the memorial of Sri J. Rudrappa, Registrar of the High Court, I wish to bring to your kind notice that appointment in the intermediate stages of the Judiciary has been a set back to the prospects of officers in the lower grades and to request that hardships resulting therefrom may be removed as far as possible. In the present case, the memorialist has lost his chance of becoming a second class District Judge from 1-1-1949 consequent on the appointment of Sri B.S.Puttaswamy (now Law Secretar and the fixing of his rank above a number of Distri Judges appointed much earlier in permanent vacanci including the present memorialist.

I am strongly of the opinion that such appointments and the disturbing of the rank of the officers who reasonably anticipate promotion in the usual course of events, will affect the morale of the services and cause discontent and pave the way for inefficiency. The hardship in the present case may be removed by granting the prayer of the

memorialist, viz. fixing him in Second Class of District Judges from 1-1-1949 as a special case or to give him a special allowance of Rs.200/- per mensem from 1-1-1949 with a direction that this allowance will count for pension as the memorialist has got only 1 year and 9 months of service before superannuation.

Yours sincerely,

Sd/- P.Medapa.

Rajamantrachintamani Diwan Bahadur
Sir A. Ramaswami Mudaliar, K.C.S.I.,D.C.L.,
Dewan of Mysore, Bangalore.

"C O P Y"

REGISTRAR

remarks in the Inspection Notes and other reports. He had to plod his weary way for over 20 years just to earn his present position in service.

6. He was promoted to act as District and Sessions Judge, Shimoga, in 1947 and was in a permanent vacancy from 15-5-48 to 31-12-1948 as provisionally permanent as can be seen from the Government Order No.6404/C.B. 333-48-2, dated 14-2-1949.

7. Again on account of the appointment of Sri B.S.Puttaswamy (now Law Secretary) and the fixing of his rank above a number of District Judges wno were appointed much earlier I acted as such the humble memorialist who was made provisionally permanent in a permanent vacancy from 15-5-48 to 31-12-48 was placed in an acting vacancy from 1-1-1949 for no fault of his. This has greatly affected his prospects in service in not getting his promotion to the I Grade of District Judges and also affecting his pension. The humble memorialist has got one year and 9 months of service before superannuation.

8. The humble memorialist prays that he may be restored to his original place which he would nave had in the normal course but for the new appointment of Sri B.S.Puttaswamy putting him in the middle of

the cadre much to the detriment of several District Judges who were appointed earlier in permanent vacancies. If for any reason this request is not granted the memorialist prays that he may be at least treated as in a permanent grade for the purpose of earning his legitimate pension.

9. He will be highly grateful if he is restored to the position which is legitimately due to him, namely, II Class District Judge's place from 1-1-1949.

Sd/- J. Rudrappa,
Registrar,
High Court of Mysore

Bangalore.
1-7-1949.

"C O P Y"

REGISTRAR

G. R. S. App. F. G. 3.]

GENERAL AND REVENUE.

SECRETARIAT.

(*Continuation sheet draft form.*)

No. 11184/CB. 8-4-50

Confidential

To

The Registrar
High Court
of Mysore
Bangalore

Sir

Sub: Representation of
Sri J. Rudrappa re:
his rank in the
cadre of District
Judges.

Ref: Correspondence
ending with D.O. letter
No ROC 250/50-51
dt 13-6-1950 from
the Registrar, High
Court

I am
directed to state
~~that Govt regret~~
Govt. have considered
that the request
of Sri Rudrappa ~~has~~

WD 06072—GPB—25,000—21-6-49

regret that they see no reason to grant it.
~~cannot be granted~~

Yours faithfully

(B.N)

Sumit
27.10.50. Secy to C.M.
& also Adpt -
CKS

26.10.50.

CONFIDENTIAL.

No. 11184 | Cs

8th Nov. 50

xxx

Law Department, Bangalore.

The Registrar,
High Court of Mysore, Bangalore.

Sub: Representation of Sri J.Rudrappa re: his rank in the cadre of District Judges.

Ref: Correspondence ending with D.O. letter No. ROC. 253/50-51 dated 13th June 1950 from the Registrar, High Court.

I am directed to state that Government have considered the request of Sri Rudrappa , but regret that they see no reason to grant it.

Yours faithfully,

JCMR 7.11.50

Secretary to Government,
Law Department.

CKP